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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,920	06/26/2001	Kenneth A. Nicoll	8716.00	1995
26889 7590 05/04/2007 MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			EXAMINER HARBECK, TIMOTHY M	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/891,920	Applicant(s) NICOLL ET AL.	
	Examiner Timothy M. Harbeck	Art Unit 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/01/2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by

Drescher et al (hereinafter Drescher US PAT 6,131,809

Re Claim 12: Graef discloses a media module for use in a self-service terminal, the media module comprising:

- Means defining a media dispense path (See Fig 1, and Column 27 line 21-Column 29, line 59)

- A plurality of media containers (Fig 1, Refs 100, 102, 104 and 106: Column 11, lines 41-52)
- A friction pick mechanism associated with each media container within the media module for picking media from the media container (Column 11, lines 53-65; Column 28, lines 1-22) and transferring the picked media to the media dispense path (Column 29, lines 10-20) for transporting media from the media dispensing module (Column 29, lines 15-20)

Re Claim 14: Graef discloses a method of dispensing media from a self-service terminal, the method comprising the steps of:

- Selectively removing media from one of a plurality of media containers disposed within a media module, wherein each of the media containers within the media module includes a friction pick mechanism for picking media from the media container and transferring the picked media to a media dispense path for removing the media from the media module (See Fig 1, and Column 27 line 21-Column 29, line 59)
- Presenting removed media to a user (Column 30, lines 35-40)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graef in view of Lynch et al (hereinafter Lynch, US 6,029,971).

Re Claim 1: Graef discloses a self-service terminal comprising:

- A plurality of media modules (Fig 1, 44, 46, 48, 50; Column 7, lines 42-52)), each module operatively associated with a pick mechanism for picking media from the module (Fig 1, 34, 36, 38, 40; Column 7, lines 26-41) and transferring the picked media to a media dispense path (Column 7, lines 53-62), wherein at least one of the modules being associated with a friction pick mechanism (See Fig 2 and description Column 8 line 39-Column 10 line 50; cites friction portions of picking mechanism)

In addition, Graef notes that ATMs can be used to dispense a variety of different medias including cash, tickets, scrip, vouchers or other documents (Column 1, lines 18-35). Furthermore, Graef discloses that the modules may hold a variety of different types of documents in the same machine (Column 7, lines 46-48).

Graef does not explicitly disclose at least one module being associated with a vacuum pick mechanism. Lynch discloses that sheet feeding apparatus, such as the one disclosed by Graef “are commonly of either the vacuum pick or friction pick type,” and depending on the type of media involved cites the advantages and disadvantages for each (Column 1, lines 5-20). Some media as Lynch points out is better served with a friction mechanism (medias that need a high feed rate), while other media would be better served with a vacuum mechanism (high porous). Thus, it would have been obvious to anyone of ordinary skill at the time of invention to include the teachings of

Lynch to the disclosure of Graef so that an ATM containing multiple media types, can distribute the different types of media in the most efficient and practical way possible.

Re Claim 2: Graef in view of Lynch discloses the claimed terminal and Lynch further discloses wherein the modules are removable (Column 2, lines 59-62). While not explicitly disclosing wherein the modules are also interchangeable, this step is notoriously well known in the art and would have been obvious to one of ordinary skill, so that when a particular module is removed for service or for transport, it can be replaced with an interchangeable part and the machine can continue to function.

Re Claim 3: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the at least one other module associated with the friction pick mechanism is a friction pick module and the friction pick mechanism is contained within the friction-picking module (See Fig 1, Column 7, lines 34-35).

Re Claim 4: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the friction pick module comprises a plurality of friction pick units (Fig 1), each unit including a media container (Fig 1; 44, 46, 48, 50) and a friction pick mechanism (Fig 1 respectively 34, 36, 38, 40).

Re Claim 5: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the friction pick units share a common media exit path within the module and leading to the media dispense path (See Fig 1, process 54 across common path 56 to secondary transport 60; Column 7 lines 53-67).

Re Claim 6: Graef discloses a self-service terminal comprising:

- Means defining a media dispense path (Fig 1, See arrows related to Refs 54, 56, 60 and 62)
- A friction pick mechanism (See Fig 1 Refs 34, 36, 38 and 40; See Fig 2 and description Column 8 line 39-Column 10 line 50; cites friction portions of picking mechanism)
- A plurality of media modules (Fig 1, 44, 46, 48, 50; Column 7, lines 42-52), each media module operatively associated with a pick mechanism for picking media from the module (Fig 1, 34, 36, 38, 40; Column 7, lines 26-41) and transferring picked media to the media dispense path (Column 7, lines 53-62), wherein at least one of the modules being associated with a friction pick mechanism (See Fig 2 and description Column 8 line 39-Column 10 line 50; cites friction portions of picking mechanism)

In addition, Graef notes that ATMs can be used to dispense a variety of different medias including cash, tickets, scrip, vouchers or other documents (Column 1, lines 18-35). Furthermore, Graef discloses that the modules may hold a variety of different types of documents in the same machine (Column 7, lines 46-48).

Graef does not explicitly disclose at least one module being associated with a vacuum pick mechanism. Lynch discloses that sheet feeding apparatus, such as the one disclosed by Graef "are commonly of either the vacuum pick or friction pick type," and depending on the type of media involved cites the advantages and disadvantages for each (Column 1, lines 5-20). Some media as Lynch points out is better served with a friction mechanism (medias that need a high feed rate), while other media would be

better served with a vacuum mechanism (high porous). Thus, it would have been obvious to anyone of ordinary skill at the time of invention to include the teachings of Lynch to the disclosure of Graef so that an ATM can distribute different types of media in the most efficient and practical way possible.

Re Claim 7: Graef in view of Lynch discloses the claimed terminal and Lynch further discloses wherein the media modules are removable (Column 2, lines 59-62). While not explicitly disclosing wherein the modules are also interchangeable, this step is notoriously well known in the art and would have been obvious to one of ordinary skill, so that when a particular module is removed for service or for transport, it can be replaced with an interchangeable part and the machine can continue to function.

Re Claim 8: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the friction picking mechanism is contained within the media module associated with the friction-picking module (See Fig 1, Column 7, lines 34-35).

Re Claim 9: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the media module associated with friction pick mechanism comprises a plurality of friction pick units (Fig 1), each unit including a media container (Fig 1; 44, 46, 48, 50) and a friction pick mechanism (Fig 1 respectively 34, 36, 38, 40).

Re Claim 10: Graef in view of Lynch discloses the claimed terminal and Graef further discloses wherein the friction pick units share a common media exit path which is within the media module and leads to the media dispense path (See Fig 1, process 54 across common path 56 to secondary transport 60; Column 7 lines 53-67).

Re Claim 11: Graef discloses a self-service terminal comprising:

- Means defining a media dispense path (Fig 1, See arrows related to Refs 54, 56, 60 and 62)
- A number of media modules, at least one media module including a plurality of media containers (Fig 1; 44, 46, 48, and 50) and a friction pick mechanism operatively associated with each media container for picking media from the media container (Fig 1, 34, 36, 38, 40) and transferring the picked media to the media dispense path (Fig 1, Ref 54, 56)

Graef does not explicitly disclose wherein the media dispensing modules are removable, however Lynch discloses a self service terminal wherein the modules are removable (Column 2, lines 59-62). It would have been obvious to anyone of ordinary skill in the art at the time of invention to include the teachings of Lynch to the disclosure of Graef so that said modules can be taken from the machine to either be refilled or taken to a remote location for deposit or reconciliation with records related to transactions at the machine.

Re Claim 13: Graef discloses the claimed media-dispensing module but does not explicitly disclose means for enabling the media module to be removed and interchangeable. Lynch discloses a self service terminal wherein the modules are removable (Column 2, lines 59-62). It would have been obvious to anyone of ordinary skill in the art at the time of invention to include the teachings of Lynch to the disclosure of Graef so that said modules can be taken from the machine to either be refilled or taken to a remote location for deposit or reconciliation with records related to transactions at the machine.

While the references do not explicitly disclose wherein the modules are also interchangeable, this step is notoriously well known in the art and would have been obvious to one of ordinary skill, so that when a particular module is removed for service or for transport, it can be replaced with an interchangeable part and the machine can continue to function.

Response to Arguments

Applicant's arguments filed 02/01/2007 have been fully considered but they are not persuasive.

With regards to applicants arguments that the examiner has used improper hindsight construction in combining the Graef and Lynch references, the examiner again respectfully disagrees. Applicant contends that Lynch does not teach that both friction type and vacuum type apparatus are present in the same self-service machine. This is simply not true. Lynch states that each sheet feeding apparatus is either the vacuum pick or friction prick type depending on the type of 'sheets' being handled. There is nothing that says the self-service machine as a whole may only contain one or the other, only the sheet feeding apparatus. Therefore, in a machine such as the one disclosed in Graef, where there are multiple sheet feeding apparatus (FIG 1) that dispense different types of documents including cash, tickets, vouchers, checks, receipts, ect (Graef Column 1, lines 18-35), a person of ordinary skill would choose different pick mechanisms for different sheet feeding apparatus.

There is simply no suggestion or teaching that the same machine cannot have both as asserted by the applicant. Rather the Lynch reference suggests the advantages of each type of mechanism depending on the document being dispensed. It is also pointed out that the applicant's specification states that each media module only has one type of pick mechanism (Page 5, vacuum pick module 20 and friction pick module 22). This is exactly what Lynch suggests as well.

With regards to the media module claims, the Drescher reference has been deemed relevant by the Examiner after a further search of the art and consideration of the applicants arguments.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3692

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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